



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Sixth day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.6123 of 2015

ESAKKIPANDI

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
MEIGNANAPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.
CR. NO.61/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.PON KARTHIKEYAN Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A1 apprehends arrest at the hands of the respondent police for the alleged offence punishable under section 379 of IPC, in Crime No.61 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with the other accused persons were jointly indulged in illegal mining of 1/4 unit of river sand by using TATA ACE.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and since, the petitioner is the owner of the alleged vehicle, his was implicated in this case.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the investigation is almost over and no previous case is pending against the petitioner.

5.Considering the facts and circumstances of the case and also considering the stage of investigation, this court is inclined to enlarge the petitioner on anticipatory bail with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Sathankulam and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police on 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.



7.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
06/04/2015

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.THE JUDICIAL MAGISTRATE, SATHANKULAM.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.

3.THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4.THE INSPECTOR OF POLICE
MEIGNANAPURAM POLICE STATION, THOOTHUKUDI DISTRICT.

+1. CC to M/S.R.PON KARTHIKEYAN Advocate SR.No.17041

ORDER
IN
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Date :06/04/2015

RG.07.04.2015 2P.6C.